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CORRESPONDENCE
CONTROL

STATE OF COLORADO

Revised 10/03

CORRES. CONTROL
INCOMING LTR NO.

01013 RF03

DUE DATE
ACTION

Bill Owens, Governor
Douglas H. Benevento, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

October 24, 2003

Mr. Joseph A. Legare, Assistant Manager
Environment and Stewardship
U.S. Department of Energy, RFFO
10808 Highway 93, Unit A
Golden, CO 80403-8200

Mr. Stephen Nesta, Environmental Manager
Remediation, Industrial D&D, & Site Services
Kaiser-Hill Company, L.L.C.
Rocky Flats Environmental Technology Site
10808 Highway 93, Unit B, Building 116
Golden, CO 80403-8200

RE: Contained-Out Determination for Soils Excavated Throughout the Extent of the 903 Pad at the Rocky Flats Environmental Technology Site (RFETS)

Dear Mr. Legare and Mr. Nesta:

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division") has received your letter dated September 9, 2003 requesting acceptance of a "contained-out" proposal for certain soils excavated from the former 903 Pad Drum Storage Area and the adjacent 903 Lip Area. These soils were excavated and containerized during environmental remediation activities conducted per the Rocky Flats Cleanup Agreement (RFCA). Your letter proposes that these excavated soils from the former 903 Pad Drum Storage Area and the adjacent 903 Lip Area do not contain hazardous waste and may be disposed of as straight low-level radioactive waste if the constituents of concern are at or below the following concentrations: 16 ppm acetone, 5 ppb tetrachloroethene (PCE), 5 ppb trichloroethylene (TCE), 5 ppb Carbon Tetrachloride, 0.48 ppm Carbon Disulfide, 3 ppm 1,1,2-trichloro-1,2,2-trifluoroethane, and 3.6 ppm methyl ethyl ketone (MEK). These concentrations (except for the conservative value for carbon disulfide which is based on a TCLP result) represent the lower of either one-tenth of the RCRA Land Disposal Restriction (LDR) standard specified in 6 CCR 1007-3, Section 268.40 or a TCLP result at the Maximum Contaminant Level (MCL) per the Safe Drinking Water Act. The concentrations shown above for these constituents of concern in soil are below levels of concern as calculated using the Division's "contained-out" determination procedure for soils that are being disposed of in a protective manner at a permitted/licensed facility authorized to

DIST.	LTR	ENC
BERARDINI, J. H.	X	
BOGNAH, E. S.	X	
BROOKS, L.	X	
BUTLER, L.	X	
CROCKETT, G. A.	X	
DECK, C. A.	X	
DEGENHART, K. R.		
DIETER, T. J.		
DIETERLE, S. E.		
FERRERA, D. W.	X	
GIACOMINI, J. J.		
HIETT, S. B.	X	
LINDSAY, D. C.	X	
LONG, J. W.		
LYLE, J. L.		
MARTINEZ, L. A.	X	
NAGEL, R. E.	X	
NESTA, S.	X	
NORTH, K.	X	
PARKER, A. M.	X	
RODGERS, A. D.		
SHELTON, D. C.	X	
SPEARS, M. S.		
TRICE, K. D.		
TUOR, N. R.	X	
WIEMELT, K.		
WILLIAMS, J. L.		
ZAHM, C.	X	
<i>Resonance, B.</i>	X	

COR. CONTROL	X
ADMIN. RECORD	
2ATS/130	

Reviewed for Addressee
Corres. Control RFP

10/29/03
Date By

Ref. Ltr. #

JOE ORDER #

5400.1

DOCUMENT CLASSIFICATION
REVIEW WAIVER PER
CLASSIFICATION OFFICE

ADMIN RECORD

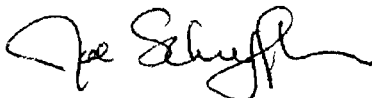
IA-A-001722

accept low-level radioactive contaminated soils. Your September 9, 2003 letter states that these soils are destined for disposal at NTS pending the Division's concurrence and the State of Nevada's concurrence that these soils do not contain hazardous waste. The Division hereby concurs with your determination that the soils from the 903 Pad and 903 Lip Area as described in your September 9, 2003 letter do not contain hazardous waste contingent on their disposal at the permitted/licensed low-level radioactive waste disposal facility at the Nevada Test Site (NTS).

The Division's "contained-out" procedure for both characteristic and listed hazardous waste is discussed in detail in Appendix 2 of its May 2002 "Corrective Action Guidance Document", a copy of which will be provided upon request, or which can be downloaded from the Department's website at <http://www.cdphe.state.co.us/hm/caguidance.pdf>

If you have any questions concerning these matters, please contact James Hindman at (303) 692-3345.

Sincerely,



Joe Schieffelin, Unit Leader
Hazardous Waste Compliance Unit
Federal Facilities Program

cc: D. Maxwell, U.S. DOE-RFFO
A. Rosenman, Kaiser-Hill
D. Shelton, Kaiser-Hill
D. Miller, AGO
T. Rehder, EPA
H. Ainscough, CDPHE
S. Gunderson, CDPHE
D. Kruchek, CDPHE
S. Tarlton, CDPHE

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